



IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

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JUN 08 2020

CLERK
U.S. DISTRICT COURT
MINNEAPOLIS, MINNESOTA

AF HOLDINGS LLC,
Plaintiff,

v.

JOHN DOE,
Defendant.

12-cv-1445

12-cv-1446

12-cv-1447

12-cv-1448

12-cv-1449

MOTION TO DISQUALIFY

Movant Paul Hansmeier ("Hansmeier") respectfully moves the Court to recuse itself from deciding Hansmeier's pending motion to unseal. In support of this motion, Hansmeier states as follows:

1. Hansmeier is an inmate at Sandstone FCI, which is currently in a lockdown instituted by the Federal Bureau of Prisons nationwide in response to the social unrest stemming from George Floyd's murder at the hands of Minneapolis Police Officers.

2. As a result, and in combination with the BOP's COVID-19-related lockdown, Hansmeier has had virtually no access to legal research materials for an extended period of time.

3. Accordingly, Hansmeier requests that the Court liberally construe

this motion.

4. In December 2016 the government charged Hansmeier with mail fraud, wire fraud and perjury based on allegations defrauded the courts to obtain courts orders allowing him to identify people who stole his movies on the Pirate Bay, among other allegations.

5. The above-captioned cases are among the cases covered by the allegations in the indictment in Hansmeier's criminal case, leaving the Court as the victim of Hansmeier's alleged fraud and perjury.

6. The Constitution, federal law and the judicial code of ethics mandate that federal judges recuse themselves from proceedings in which their partiality might reasonably be questioned or in which they are actually biased.

7. Thus, when a judge believes that a crime has been committed in a proceeding, at most the judge is permitted to do is refer the matter to prosecutors. If prosecutors decide to bring charges, then the case is heard by a judge who was not connected with the original case.


8. As an example, when Arizona-based Sheriff Joe Arapao violated federal district court judge Snow's injunction against certain policing tactics, he referred the matters to prosecutors, who charged Arapao with criminal contempt. An independent federal district court judge presided over the subsequent criminal contempt proceedings.

9. In the judgment of this Court, it was a victim of Hansmeier's

alleged fraud and perjury in this case. Accordingly, the Court has no discretion but to recuse itself from future matters involving Hansmeier in this case. As a victim of a crime at a minimum the Court's impartiality might reasonably be questioned with respect to proceedings involving the alleged perpetrator.

June 3, 2020

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Paul Hansmeier', written over a horizontal line.

Paul Hansmeier

20953-041 Unit K3

Federal Correctional Institution

P.O. Box 1000

Sandstone, MN 55072